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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/391,647	09/07/1999	WINTHROP L. SAVILLE	PHA23.756	8884

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CORPORATE PATENT COUNSEL  
U S PHILIPS CORPORATION  
580 WHITE PLAINS ROAD  
TARRYTOWN, NY 10591

EXAMINER

ELLIS, RICHARD L

ART UNIT

PAPER NUMBER

2183

DATE MAILED: 12/11/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Attachment to advisory action.

1. Applicant's arguments presented in the amendment after final received on December 2, 2002, have been considered but are not deemed as placing the application into condition for allowance.

Applicant argues:

"*Matsumoto* fails ... to disclose ... 'an expansion bit indicative of whether the processing system expands the first set of data value bits or reads any additional parameter bytes including additional sets of data value bits' as recited in independent claim 14, and 'a second indicator representative of whether to expand the plurality of data value bits' as recited in dependent claim 22." (emphasis unchanged)

This is not found persuasive because as to claim 14, applicant's attention is drawn to the fact that the text of claim 14 claims the features of "an expansion" and "reading additional ... bytes" in the alternative and does not in fact require that both elements be present in the claimed invention. Additionally, upon reviewing the previous office action for preparation of this communication, it was noticed that an inadvertent typographical error was made in paragraph 3(c) of the office action. The reference to fig. 2a should in fact have been to fig. 1b. Given the fact that the remainder of paragraph 3(c) referenced figure 1, and that there is no bit string "000" in fig. 2a, but there is a bit string "000" in fig. 1b, it should have been clear what element of *Matsumoto et al.* was being referenced.

In any event, the definition of the word "expand" is:

"**expand** ... 1: to open up : unfold 2: to increase the extent, number, volume, or scope of: enlarge ..."

It is presumed that the second meaning, "to increase the extent, number, volume, or scope of" is the meaning of the word "expand". as applicant wishes the word to be used in the claim language. Therefore, as is seen from figs. 1a and 1b of *Matsumoto et al.*, there is provided "a first indicator representative of a number of the plurality of data value bits" (fig. 1a, LENGTH, when LENGTH is anything other than "000"), as well as "a second indicator representative of whether to expand the plurality of data bits (fig. 1b, code "000" indicates an expanded length field of 8 bits). Because "the number" of bits used to represent the length has

"increased" (8 bits is larger than 3 bits), this is an expansion of the plurality of data bits to the extent that the claims provide any additional definition of the term "expand" beyond it's normal English language usage.

Therefore, Matsumoto et al. does indeed anticipate the claimed invention to the extent of the present broad wording of the claim language itself.


2. A shortened statutory period for response to this action is set to expire 3 (three) months and 0 (zero) days from the mail date of this letter. Failure to respond within the period for response will result in **ABANDONMENT** of the application (see 35 USC 133, MPEP 710.02, 710.02(b)).

3. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Richard Ellis whose telephone number is (703) 305-9690. The Examiner can normally be reached on Monday through Thursday from 7am to 5pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Eddie Chan, can be reached on (703) 305-9712. The fax phone numbers for this Group are: After-final: (703) 746-7238; Official: (703) 746-7239; Non-Official/Draft: (703) 746-7240.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Richard Ellis  
December 9, 2002

  
**Richard Ellis**  
**Primary Examiner**  
**Art Unit 2183**